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Docket No. PPC5053USANP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William Kelly

Serial No. : 10/800,093

Art Unit: 3761

Filed : March 12, 2004

Examiner: Karin Reichle

For : ABSORBENT ARTICLE HAVING STAIN MASKING
CHARACTERISTICS

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November 16, 2005

(Date of Deposit)

Paul J. Higgins

(Name of applicant, assignee, or Registered Representative)

/Paul J. Higgins/

(Signature)

November 16, 2005

(Date of Signature)

MAIL STOP GROUP ART UNIT 3761
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e)
(attached); or

☐ Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PPC5053USANP/PJH. This form is submitted in triplicate.

Respectfully submitted,

/Paul J. Higgins/

Paul J. Higgins
Reg. No. 44,152
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1728
DATED: November 16, 2005

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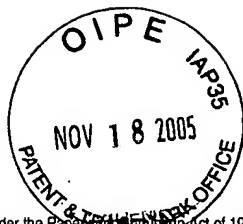
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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Application Number	10/800,093
Filing Date	March 12, 2004
First Named Inventor	William Kelly
Group Art Unit	3761
Examiner Name	Karin Reichle
Attorney Docket Number	PPC5053USANP

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,868,031	A	Modrak et al.	09-19-1989	
		5,667,619	A	Alikhan et al.	09-16-1997	
		6,180,052	B1	Ouellette et al.	01-30-2001	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		EP	0951889	A	Uni-Charm Corporation	10-27-1999		
		EP	1344512	A	Uni-Charm Corporation	09-17-2003		
		WO	9428846	A	McNeil-PPC, Inc.	12-22-1994		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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<p align="center">SUBMISSION UNDER MPEP 609 D</p> <p align="center">Page 1 of 1</p>	<i>Application Number</i>	10/800,093
	<i>Filing Date</i>	March 12, 2004
	<i>First Named Inventor</i>	William Kelly
	<i>Group Art Unit</i>	3761
	<i>Examiner Name</i>	Karin Reichle
	<i>Attorney Docket Number</i>	PPC5053USANP

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			Number	Kind Code ² (if known)	

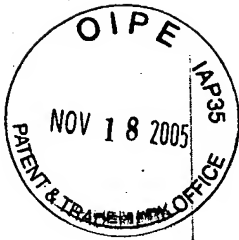
FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
			Office ³	Number ⁴	KindCode ⁵		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner 's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		European Search Report EP 05 25 1481 dated July 11, 2005	

Examiner Signature		Date Considered	
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Serial No. 10/800,093 Docket No. APC-5053-WAPP/PTH
Application of: William Kelly Mailed: November 16, 2005
Entitled: Asubent Article Having sturn Making
Characteristics
THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

Application of: William Kelly Mailed: November 16, 2005

Entitled: Asbestos Article Having Stun Marking Characteristics

THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

- | | |
|---|---|
| <input type="checkbox"/> Oath or Declaration | <input type="checkbox"/> Drawings _____ sheets |
| <input type="checkbox"/> Assignment | <input checked="" type="checkbox"/> MPEP 609/ <u>D</u> |
| <input type="checkbox"/> Response | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Brief |
| <input checked="" type="checkbox"/> Charge to Deposit Account 10-0750 | <input type="checkbox"/> Priority Document |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Status Inquiry |
| <input type="checkbox"/> Extension of Time | <input type="checkbox"/> Sequence Listings/Diskette |
| <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Biological Deposit Declaration |
| <input type="checkbox"/> PCT Filing _____ | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> IDS-Form 1449 | |

□ Assignment

☒ MPEP 609/ 2

Response

☐ Notice of Appeal☐ Fee Transmittal

Brief

☒ Charge to Deposit Account 10-0750

☐ Priority Document

Amendment

☐ Status Inquiry

❑ Extension of Time

☐ Sequence Listings/Diskette☐ Issue Fee Transmittal☐ Biological Deposit Declaration☐ PCT Filing _____☐ Other _____

IDS-Form 1449